

Note: This document is included as part of a grant agreement between the Department of Health and Family Services and the Southeastern Wisconsin Area Agency on Aging, Inc., for Older Americans Programs.

GRANT AGREEMENT
AAA OLDER AMERICANS PROGRAMS
Contract Preamble

This Grant Agreement is entered into for the period January 1, 2005 through December 31, 2005, by and between the State of Wisconsin represented by its Department of Health and Family Services, on behalf of the Division of Disability and Elder Services, whose principal business address is 1 West Wilson Street, P.O. Box 7851, Madison, Wisconsin 53707-7851, hereinafter referred to as GRANTOR, and the Southeastern Area Agency on Aging, Inc., whose principal business address is 125 North Executive Drive, Suite 102, Brookfield, Wisconsin 53005, hereinafter referred to as GRANTEE.

EXHIBIT III

FAMILY CARE ENROLLMENT COUNSELING

ARTICLE I: DEFINITIONS

The following terms have the following definitions in this Exhibit III:

Enrollment consultant means an individual who performs enrollment consulting and enrollment processing.

Enrollment consulting means activities such as answering questions and providing information in an unbiased manner on available delivery system options, including the option of enrolling in a CMO or a PACE/Partnership organization, and advising on what factors to consider when choosing among these options.

Enrollment processing means activities such as distributing, collecting, receiving, releasing, transferring, and otherwise handling enrollment materials so that individuals may be enrolled in a CMO or a PACE/Partnership organization.

ARTICLE II: AGENCY'S OBLIGATION TO HIRE AND SUPERVISE ENROLLMENT CONSULTANTS

A. Standards Concerning Hiring And Supervising Enrollment Consultants

The Agency shall hire and employ, or shall contract with, individuals to act as enrollment consultants for the Family Care Program administered by the Department and shall develop and implement policies and procedures to assure that the enrollment consultants act in accordance with the provisions of this contract.

B. Area Of Responsibility For Enrollment Consultants

The Agency shall hire and employ, or shall contract with, individuals to act as enrollment consultants for individuals considering enrolling in any one of the CMOs operating in the following counties: Fond du Lac, La Crosse, Milwaukee, Portage, and Richland.

C. Number Of Enrollment Consultants To Be Hired

1. Number To Be Hired Initially

The Agency shall initially hire, or contract with, a total of 3.0 full-time workers, or the equivalent thereof, to work as enrollment consultants and shall assign 2.0 full-time workers, or the equivalent thereof, to act as enrollment consultants for Fond du Lac and Milwaukee counties and 1.0 full-time worker, or the equivalent thereof, to act as an enrollment consultant for La Crosse, Portage, and Richland counties.

2. Number May Be Changed During The Effective Term Of This Contract

a. At any time during the effective term of this contract, the Department and the Agency may agree to increase or decrease the total number of full-time workers, or the equivalent thereof, who are acting as enrollment consultants or to increase or decrease the number of full-time workers, or the equivalent thereof, who are acting as enrollment consultants in any county or group of counties.

b. At any time during the effective term of this contract, the Department may increase or decrease the total number of full-time workers, or the equivalent thereof, who are acting as enrollment consultants or increase or decrease the number of full-time workers, or the equivalent thereof, who are acting as enrollment consultants in any county or group of counties provided that the Department notifies the Agency in writing of its intent to increase or decrease these numbers at least 30 calendar days prior to the date on which the Department wants the increase or decrease to take effect.

ARTICLE III: INTERPRETING THIS CONTRACT CONSISTENTLY WITH THE FAMILY CARE ACCESS PLAN

A. Standards Concerning Interpreting The Provisions Of This Contract Consistently With Those Of The Family Care Access Plan

Each enrollment consultant shall interpret the provisions of this contract so that they are consistent with the provisions concerning enrollment consulting found in the Department-approved Family Care Access Plan that applies to enrollments in a CMO for which the enrollment consultant is responsible for providing enrollment consulting.

B. Acting In Accordance With The Provisions Of The Family Care Access Plan

If the provisions concerning enrollment consulting found in the Department-approved Family Care Access Plan that applies to enrollments in a CMO for which the enrollment consultant is responsible for providing enrollment consulting address an issue on which this contract is silent, the enrollment consultant shall act in accordance with the provisions found in the Family Care Access Plan.

C. Cooperating In Developing And Updating The Family Care Access Plan

The enrollment consultant shall cooperate with Resource Centers, CMOs, and Economic Support Units to develop and update Family Care Access Plans that apply to the CMOs for which the enrollment consultant is responsible for providing enrollment consulting.

ARTICLE IV: PROVIDING ENROLLMENT CONSULTING

A. Standards For Providing Enrollment Consulting

The goal of any enrollment consulting shall be to make sure that individuals who are eligible for the Family Care benefit understand all of the options, and the costs and consequences thereof, that they have with respect to receiving services for their long term care needs, including the option of enrolling in a CMO in order to receive the Family Care benefit.

B. To Whom Enrollment Consulting Is To Be Provided

The enrollment consultant shall provide enrollment consulting to any individual referred to him or her by a Resource Center or an Economic Support Unit as eligible for the Family Care benefit.

C. Arranging To Provide And Providing Enrollment Consulting

1. Who May Make Arrangements

A Resource Center, an Economic Support Unit, an individual, or a person acting on the individual's behalf, may make arrangements with the enrollment consultant for the enrollment consultant to provide enrollment consulting to the individual.

2. Arrangements May Be Made Before Eligibility Is Determined

a. Arrangements for enrollment consulting may be made before an individual is definitively determined to be eligible for the Family Care benefit. Such arrangements may include deciding which members of the individual's family, if any, should be present during enrollment consulting in the event that he or she is determined to be eligible for the Family Care benefit, on which day or days of the week it would be most convenient for the individual to have enrollment consulting in the event that he or she is determined to be eligible for the Family Care benefit, and so on. Such arrangements may be made for individuals who are not receiving urgent services pursuant to an agreement between a Resource Center and a CMO as well as for individuals who are receiving urgent services pursuant to an agreement between a Resource Center and a CMO.

b. The enrollment consultant may work with the Resource Center, the Economic Support Unit, and/or the individual, or a person acting on the individual's behalf, to make such arrangements or he or she may accept arrangements already made by the Resource Center, the Economic Support Unit, and/or the individual, or a person acting on the individual's behalf.

c. In the event that an individual for whom such arrangements have been made is determined not to be eligible for the Family Care benefit, the enrollment consultant shall not provide enrollment consulting to the individual.

D. Manner Of Providing Enrollment Consulting

1. Individual's Choice As To Meeting Or Telephone Conversation

The enrollment consultant shall provide enrollment consulting by meeting face-to-face with the individual and/or by speaking with the individual over the telephone. The choice as to whether to have the enrollment consultant provide enrollment consulting in a meeting or in a telephone conversation shall be the individual's.

2. Single Enrollment Consulting Session Unless Individual Requests Otherwise

The enrollment consultant shall provide enrollment consulting either in one single face-to-face meeting with the individual or in one single telephone conversation with the individual unless the individual requests that the enrollment consulting take place in more than one face-to-face meeting and/or in more than one telephone conversation.

3. Enrollment Consultant's Recommending Further Enrollment Consulting

If, at the end of the first or any subsequent face-to-face meeting or telephone conversation with an individual, the enrollment consultant concludes that there should be another meeting or telephone conversation with the individual in order to answer questions or address concerns that the individual has about enrolling in a care management organization, the enrollment consultant shall so inform the individual. If, after being so informed, the individual decides to have another meeting or telephone conversation with the enrollment consultant, the enrollment consultant shall schedule another meeting or telephone conversation with the individual. If, after being so informed, the individual decides not to have any further enrollment consulting, the enrollment consultant shall make a note of the individual's decision and keep it in the file that he or she maintains on the individual's case.

4. Time, Date, And Location Of Enrollment Consulting

Any face-to-face meeting or telephone conversation that the enrollment consultant has with an individual in order to provide enrollment consulting to the individual shall be at a time and date and in a location that is convenient for the individual, including, but not limited to, the individual's home or apartment.

5. Presence Of Other People During Enrollment Consulting

a. The enrollment consultant shall allow the individual to whom he or she is providing enrollment consulting to have other people, including, but not limited to, family members or friends, present during any enrollment consulting that he or she provides to the individual if the individual requests to have other people present. The enrollment consultant shall also allow these people to assist the individual to the extent and in the manner desired by the individual by asking questions for the individual, by explaining matters to the individual, and by providing information about the individual.

b. If the individual to whom the enrollment consultant is providing enrollment consulting indicates to the enrollment consultant that he or she does not want a particular person to be present during enrollment consulting, the enrollment consultant shall not allow this person to be present during enrollment consulting.

E. Content Of Enrollment Consulting

1. Documents To Be Reviewed Before Providing Enrollment Consulting

Before providing enrollment consulting to an individual, the enrollment consultant shall review all of the documents and all of the information concerning the individual that he or she receives from the Resource Center and from the Economic Support Unit.

2. Following Guidelines And Scripts Prepared By The Department

The enrollment consultant shall provide enrollment consulting to any individual referred to him or her for enrollment consulting in accordance with the latest version of the guidelines and scripts for enrollment consulting developed by the Department. The Department may modify these guidelines and scripts either in whole or in part at any time during the effective term of this contract. The Department shall inform the enrollment consultant of any and all modifications that it makes to the initial version of these guidelines and scripts. Once the enrollment consultant has been informed of such modifications, he or she shall use and follow them in the enrollment consulting that he or she provides to individuals.

3. Making Certain Individual's Questions About Enrolling Are Answered

Before finishing the enrollment consulting that he or she is doing with an individual, the enrollment consultant shall do the following:

- a. Ask the individual whether all of his or her questions and concerns about enrolling in a CMO or in a similar managed care organization or program have been fully answered and addressed. .
- b. Answer any questions and address any concerns that the individual still has about enrolling in a CMO or in a similar managed care organization or program.

4. Making Certain That Individual Has The Right Handbooks

a. The enrollment consultant shall make sure that the individual has received a copy of the handbook for the CMO and a copy of the handbook for any PACE/Partnership organization operating in the area in which the individual resides and understands what the handbooks are saying. If the enrollment consultant learns that the individual has not received copies of such handbooks or has received them but cannot locate them, the enrollment consultant shall give the individual copies of such handbooks.

b. In the course of talking with the individual to make certain that he or she understands what such handbooks are saying, the enrollment consultant shall make certain that the individual understands what such handbooks say about Medicaid-covered services that are not included in the benefit package provided by the CMO or any PACE/Partnership

organization operating in the area in which the individual resides, including

- i. The list of such Medicaid-covered services;
- ii. How and where to obtain such Medicaid-covered services;
- iii. How transportation is provided to and from such Medicaid-covered services; and
- iv. Any cost sharing related to such Medicaid-covered services.

5. Making Certain Individual Understands Right To Disenroll

The enrollment consultant shall make certain that the individual understands that if he or she does end up enrolling in a CMO or in a PACE/Partnership organization, he or she has the right to disenroll from the CMO or the PACE/Partnership organization at any time for cause. The enrollment consultant shall also make certain that the individual understands that CMOs and PACE/Partnership organizations are managed care entities that have continuous open enrollment and that, consequently, if he or she does disenroll from the CMO or the PACE/Partnership organization for cause, he or she may enroll in any other CMO or PACE/Partnership organization in which he or she is legally entitled to enroll.

6. Determining Whether Individual Interested In Enrolling

At the end of enrollment consulting, the enrollment consultant shall determine whether the individual wants to enroll in a CMO or in a similar managed care organization or program. If the individual signed an Enrollment Form for a CMO before he or she received enrollment consulting, the enrollment consultant shall make sure that the individual understands that he or she is free not to join the CMO even though he or she has already signed an Enrollment Form.

7. Notifying Resource Center Of Individuals Deciding Not To Enroll

a. If, at the end of enrollment consulting, the enrollment consultant determines that an individual is not interested in enrolling in a CMO or in a similar managed care organization or program, the enrollment consultant shall so inform the Resource Center.

i. Unless the Family Care Access Plan in effect for the county in which the individual is residing specifies the means that the enrollment consultant shall use to so inform the Resource Center, the enrollment consultant may use any appropriate means to so inform the Resource Center, including, but not limited to, a written notice, a telephone call, or an E-Mail message.

ii. Unless the Family Care Access Plan in effect for the county in which the individual is residing specifies otherwise, the enrollment consultant shall so inform the Resource Center as soon as possible after learning that the individual is not interested in enrolling in a CMO or in a similar managed care organization or program.

b. When the enrollment consultant learns that the individual is not interested in enrolling in a CMO or in a similar managed care organization or program, he or she shall inform

the individual that he or she will inform the Resource Center of the individual's decision not to enroll in a CMO or in a similar managed care organization or program and shall explain to the individual that the Resource Center may contact the individual in order to talk to the individual about the individual's long term health care needs and options for having these needs met.

F. Enrollment Consulting For Non-English Speakers

1. Interpretation Services

a. The enrollment consultant shall offer oral interpretation services to any individual who is referred to him or her for enrollment consulting. When the enrollment consultant makes such an offer to an individual, he or she shall inform the individual that such services will be provided to the individual free of charge and for whatever non-English language the individual speaks.

b. The enrollment consultant shall inform the individual of what he or she needs to do in order to access oral interpretation services. The enrollment consultant shall be responsible for making arrangements to provide oral interpretation services to any individual who accepts his or her offer of such services. The enrollment consultant shall work with an individual, members of the individual's family, and/or the individual's friends, and may work with staff from the Resource Center, in order to make arrangements to provide oral interpretation services.

c. The cost of providing oral interpretation services for an individual shall not ultimately be borne by the Agency but shall instead ultimately be borne by the Department.

2. Written Materials

a. If the Agency itself produces any written material about the Family Care benefit or about a CMO that the enrollment consultant gives to an individual who is referred to him or her, the Agency shall be responsible for translating such written material into Hmong, Russian, and Spanish or any other non-English language that has been or that is identified as a prevalent non-English language in any area where a CMO is operating.

b. Neither the Agency nor the enrollment consultant shall be responsible for translating any written material that the Department, the Resource Center, or a CMO produces about the Family Care benefit or about the CMO and that is given to an individual who is referred to the enrollment consultant prior to the time that the enrollment consultant provides enrollment consulting to the individual. Similarly, neither the Agency nor the enrollment consultant shall be responsible for translating any written material that the Department, the Resource Center, or a CMO produces about the Family Care benefit or about a CMO and that is given to the enrollment consultant so that he or she can give it to the individual when he or she provides enrollment consulting to the individual.

c. If the enrollment consultant learns, in the course of preparing to provide or providing enrollment consulting to an individual, that the individual speaks Hmong, Russian, or Spanish or any other non-English language that has been or that is identified as a

prevalent non-English language in any area where a CMO is operating, the enrollment consultant shall ascertain whether the written material given to the individual about the Family Care benefit, including, but not limited to the CMO handbook, is in the prevalent non-English language spoken by the individual. If the enrollment consultant learns that the individual does not have such written material in the prevalent non-English language that the individual speaks, the enrollment consultant shall offer to obtain such written material in the individual's non-English language for the individual or to help the individual obtain it. If the individual accepts such an offer, the enrollment consultant shall either provide such written material in the individual's non-English language to the individual or make arrangements to have such written material in the individual's non-English language provided to the individual.

ARTICLE V: HELPING INDIVIDUALS ENROLL

A. Standards For Helping Individuals Enroll

To help individuals who are eligible for the Family Care benefit and who decide to enroll in a CMO or in a similar managed care organization or program, the enrollment consultant shall submit any form, document, or information that needs to be submitted to an entity, such as the Economic Support Unit, in order for individuals to enroll in a CMO or in a similar managed care organization or program.

B. Setting Effective Date Of Individual's Enrollment In CMO

The enrollment consultant shall follow the relevant provisions of the Department-approved Family Care Access Plan that applies to enrollments in the CMO in which the individual wants to enroll with respect to setting the effective date of enrollment in the CMO for an individual who wants to enroll in the CMO.

a. If the applicable Family Care Access Plan requires the Resource Center to set the effective date of enrollment for the individual, the enrollment consultant shall not set this date but shall make sure that the Resource Center has set it or shall refer the individual back to the Resource Center to have it set this date.

b. If the applicable Family Care Access Plan requires the enrollment consultant to set the effective date of enrollment for the individual, the enrollment consultant shall set an effective date of enrollment in the CMO for the individual that is agreeable to the individual and that satisfies the following provisions:

i. The effective date of enrollment for an individual who is not receiving urgent services pursuant to an agreement between the Resource Center and the CMO may not be earlier than the date on which the CMO is first informed that the individual has been enrolled in the CMO; and,

ii. The effective date of enrollment for an individual who has been receiving urgent services pursuant to an agreement between the Resource Center and the CMO and who

has been determined to be eligible for the Family Care benefit will be the date on which the CMO first began providing urgent services for the individual pursuant to the agreement between the Resource Center and the CMO.

C. Obtaining Properly Signed And Dated Enrollment Forms

1. Obtaining Form From Individual Who Did Not Sign Form Before Consulting

If an individual indicates that he or she has decided to enroll in a CMO and if he or she did not sign the Enrollment Form for the CMO before receiving any enrollment consulting, the enrollment consultant shall do the following with respect to obtaining a properly signed and dated Enrollment Form from the individual:

- a. If the enrollment consultant is meeting with individual, the enrollment consultant shall give the individual the Enrollment Form to sign and date.
- b. If the enrollment consultant is speaking to the individual by telephone, the enrollment consultant shall, no later than one business day after the date on which the telephone conversation takes place, give or mail the Enrollment Form to the individual. If the enrollment consultant mails the Enrollment Form, he or she shall include written instructions asking the individual to sign and date the Enrollment Form and then see that it is returned as soon as possible to the enrollment consultant. These instructions shall be accompanied by a stamped envelope addressed to the enrollment consultant in which the Enrollment Form can be returned.

2. Obtaining Form From Individual Who Did Sign Form Before Consulting

If an individual indicates that he or she has decided to enroll in a CMO and if he or she did sign the Enrollment Form for the CMO before receiving any enrollment consulting, the enrollment consultant shall do the following with respect to obtaining a properly signed and dated Enrollment Form from the individual:

- a. If the enrollment consultant is meeting with individual and if the individual signed but did not date the form before receiving any enrollment consulting, the enrollment consultant shall give the individual the Enrollment Form to date.
- b. If the enrollment consultant is speaking to the individual by telephone and if the individual signed but did not date the form before receiving any enrollment consulting, the enrollment consultant shall date the Enrollment Form for the individual next to the individual's signature. The enrollment consultant shall use and put down on the Enrollment Form next to the individual's signature the date of the telephone conversation with the individual, not the date on which the individual signed the Enrollment Form. The enrollment consultant shall also clearly write his or her initials near the date that he or she puts down next to the individual's signature.

D. Enrollment Consultant's Signing And Dating Enrollment Forms

The enrollment consultant shall sign and date the Enrollment Form for a CMO where indicated after determining that the individual wants to enroll in the CMO. The

enrollment consultant shall not sign and date the Enrollment Form for an individual unless and until it has been properly signed and properly dated by the individual or has been properly signed by the individual and properly dated for the individual by the enrollment consultant in accordance with the provisions of Section C of this article. The enrollment consultant shall sign and date the Enrollment Form for an individual as soon as possible after he or she has it in his or her possession after it has been properly signed by the individual and dated by or for the individual.

E. Notifying Economic Support Unit Or Referring Individual Back To Resource Center

Once the enrollment consultant has in his or her possession an Enrollment Form for an individual that has been properly signed by the individual and that has been properly dated by the individual or for the individual by the enrollment consultant, the enrollment consultant shall follow the relevant provisions of the Department-approved Family Care Access Plan that applies to enrollments in the CMO in which the individual wants to enroll with respect to seeing to it that the Economic Support Unit is notified of the individual's decision to enroll in the CMO.

1. Notifying Economic Support Unit

If the applicable Family Care Access Plan requires the enrollment consultant to give or send to the Economic Support Unit the information necessary for it to enroll in the individual in the CMO, the enrollment consultant shall, no later than one business day after the date on which he or she has in his or her possession the properly signed and dated Enrollment Form for the individual, give or send this Enrollment Form to the Economic Support Unit. Before the enrollment consultant gives or sends this Enrollment Form to the Economic Support Unit, he or she shall make sure that it indicates the effective date of enrollment in the CMO for the individual. Unless the Family Care Access Plan that applies to the CMO in which the individual is enrolling specifies otherwise, the enrollment consultant shall give or send one copy of the Enrollment Form for the individual to the Resource Center, one copy to the CMO, and one copy to the individual. In all cases, the enrollment consultant shall keep one copy of the Enrollment Form for the individual for his or her files.

2. Referring Individual Back To Resource Center

If the applicable Family Care Access Plan requires the enrollment consultant to refer the individual back to the Resource Center so that the Resource Center may give or send to the Economic Support Unit the information necessary for it to enroll the individual in the CMO, the enrollment consultant shall, no later than one business day after the date on which he or she has in his or her possession the properly signed and dated Enrollment Form for the individual, refer the individual back to the Resource Center and give or send this Enrollment Form to Resource Center. The enrollment consultant shall keep a copy of this Enrollment Form for his or her files.

ARTICLE VI: DEADLINES FOR COMPLETING ENROLLMENT CONSULTING AND ENROLLMENT PROCESSING

A. Standards For Completing Enrollment Consulting And Enrollment Processing

Each enrollment consultant shall work with the Resource Center, the Economic Support Unit, and the CMO to complete in a timely manner enrollment consulting and, if appropriate, enrollment processing for all of the individuals referred to him or her for enrollment consulting.

B. Deadlines For Individuals Who Decide Not To Enroll In CMO

The enrollment consultant shall schedule and provide enrollment consulting for any individual referred to him or her for enrollment consulting who decides not to enroll in a CMO or a similar managed care organization or program so that no more than thirty calendar days elapse between the date on which the individual officially applies for the Family Care benefit and/or Medicaid (the Medicaid application filing date) and the date on which the enrollment consultant completes enrollment consulting with the individual.

C. Deadlines For Individuals Who Decide To Enroll In CMO

The enrollment consultant shall schedule and provide enrollment consulting for any individual referred to him or her for enrollment consulting who decides to enroll in a CMO or a similar managed care organization or program so that no more than thirty calendar days elapse between the date on which the individual officially applies for the Family Care benefit and/or Medicaid (the Medicaid application filing date) and the date on which all of the information necessary to enroll the individual in the CMO or a similar managed care organization or program, including information indicating the individual's effective date of enrollment, is entered in the CARES system.

D. Finding Out The Medicaid Filing Date

If the enrollment consultant does not know the date on which an individual referred to him or her for enrollment consulting officially applied for the Family Care benefit and/or Medicaid (the Medicaid application filing date), the enrollment consultant shall, as soon as possible after he or she receives the referral, contact the Resource Center, the Economic Support Unit, or the individual in order to find out this date.

E. Trying To Reach Individuals Who Should Receive Enrollment Consulting But Do Not; Closing Cases

1. Trying To Reach Individuals

During the effective term of this contract, the Department and the Agency shall work together to develop and implement policies and procedures that will indicate what the enrollment consultant shall do in each of the following two situations in order to make contact with individuals in order to offer and make arrangements to provide enrollment consulting to them.

- a. A situation where, by the end of the thirty- calendar-day period immediately following the date on which an individual officially applies for the Family Care benefit and/or Medicaid (the Medicaid application filing date), the enrollment consultant has not

provided enrollment consulting to an individual referred to him or her for enrollment consulting because no arrangements have been made to provide enrollment consulting and the enrollment consultant has been unable to make contact with the individual or with a person acting on the individual's behalf to make such arrangements.

b. A situation where, by the end of the thirty- calendar-day period immediately following the date on which an individual officially applies for the Family Care benefit and/or Medicaid (the Medicaid application filing date), the enrollment consultant has not provided enrollment consulting to an individual referred to him or her for enrollment consulting because the individual failed to show up for or participate in enrollment consulting that had been arranged for him or her but neither the individual nor a person acting on the individual's behalf has made contact with the enrollment consultant to request that the arranged enrollment consulting be delayed or cancelled altogether.

2. Closing Cases

During the effective term of this contract, the Department and the Agency shall work together to develop and implement policies and procedures that will indicate when and under what circumstances the enrollment consultant will be allowed or required to close a case for an individual who has been referred to him or her for enrollment consulting but for whom he or she has been unable to provide enrollment consulting because of the situations described in Subsection 1, Paragraphs a-b of this section or because of similar situations and that will also indicate what the enrollment consultant will need to do in order to close an individual's case.

ARTICLE VII: RECORD KEEPING AND REPORTING

During the effective term of this contract, the Department and the Agency shall work together to agree on requirements concerning record keeping and reporting by each enrollment consultant on the enrollment consulting and enrollment processing that he or she does during the effective term of this contract.

ARTICLE VIII: QUALIFICATIONS AND TRAINING AND MEETINGS

A. Qualifications

Each enrollment consultant shall have either:

1. A Bachelor of Arts or Science Degree, preferably in a health or human services related field, and at least one year of experience working with the elderly or individuals with developmental disabilities or individuals with physical disabilities; or, in the event that a person who wants to be an enrollment consultant lacks such a degree and such experience,
2. Approval from the Department to work as an enrollment consultant, where such approval is discretionary on the part of the Department, must be requested for the person

by the Agency before the person begins working as an enrollment consultant, must be based either on the person's post-secondary education and experience or on a written plan prepared for the person by the agency and submitted to the Department to give the person formal and on-the-job training to develop the skills required to be an enrollment consultant, and may not waive the training requirements described in Section B of this article.

B. Training And Meetings

1. Training

a. The enrollment consultant shall participate in and complete any and all training required by the Department provided that the Department gives or sends a notice to the enrollment consultant indicating that his or her participation in and completion of a training session is required and informing him or her of the time, date, and location of the training session at least ten business days before the training session is scheduled to take place.

b. The Department shall provide an introductory training course covering the basic knowledge that a person should have in order to work as an enrollment consultant. Prior to providing enrollment consulting to anyone, the enrollment consultant shall participate in and complete this introductory training course.

2. Meetings

The enrollment consultant shall participate in any and all meetings required by the Department provided that the Department gives or sends a notice to the enrollment consultant indicating that his or her participation in a meeting is required and informing him or her of the time, date, and location of the meeting at least ten business days before the meeting is scheduled to take place.

ARTICLE IX: NON-DISCRIMINATION IN ENROLLMENT CONSULTING AND ENROLLMENT PROCESSING

A. Non-Discrimination On The Part Of The Enrollment Consultant

The enrollment consultant shall not use any policy or practice in the conduct of his or her enrollment consulting or enrollment processing that has the effect of discriminating against any individual referred to him or her for enrollment consulting on the basis of the individual's health status or need for health care services or on the basis of the individual's race, color, or national origin.

B. Non-Discrimination On The Part Of A CMO Or PACE/Partnership Organization

The enrollment consultant shall not use any policy or practice in the conduct of his or her enrollment consulting or enrollment processing that has the effect of allowing any CMO or PACE/Partnership organization

1. To discriminate against any individual referred to him or her for enrollment counseling on the basis of the individual's health status or need for health care or on the basis of the individual's race, color, or national origin; or,
2. To refuse to enroll any individual who is entitled to enroll in the CMO or the PACE/Partnership organization.

ARTICLE X: ORGANIZATIONAL INDEPENDENCE AND FREEDOM FROM CONFLICTS OF INTEREST

A. Financial And Organizational Independence

Neither the Agency nor any of its subcontractors shall:

1. Be, become, or act as a CMO, PACE/Partnership organization, MCO, PIHP, PAHP, PCCM, or any other health care provider in Wisconsin;
2. Be or become owned or controlled, either in whole or in part, by a CMO, PACE/Partnership organization, MCO, PIHP, PAHP, PCCM, or any other health care provider in Wisconsin; or;
3. Own or control, either in whole or in part, a CMO, PACE/Partnership organization, MCO, PIHP, PAHP, PCCM or any other health care provider in Wisconsin.

B. Freedom From Conflicts Of Interest

Neither the Agency nor any of its subcontractors shall have as its owner, employee, or consultant, and neither the Agency nor any its subcontractors shall enter into a contract with, any person who:

1. Has any direct or indirect financial interest in a CMO, PACE/Partnership organization, or any other entity or health care provider that furnishes services in Wisconsin;
2. Has been excluded from participation under title XVIII or XIX of the Social Security Act;
3. Has been debarred by any federal agency; or,
4. Is, or has been, subject to civil money penalties under the Social Security Act.

C. Statement Concerning Organizational Independence And Freedom From Conflicts Of Interest

The Agency shall sign and date and then return to the Department a statement identical to the statement in Appendix A to this Exhibit III concerning its organizational independence and freedom from conflicts of interest. The Agency shall return this statement to the Department no later than January 31, 2004.

APPENDIX A. STATEMENT CONCERNING ORGANIZATIONAL INDEPENDENCE AND FREEDOM FROM CONFLICTS OF INTEREST

The undersigned states and certifies, to the best of his or her knowledge, that

1. Neither the Agency nor any of its subcontractors
 - a. Is or acts as a CMO, PACE/Partnership organization, MCO, PIHP, PAHP, PCCM, or any other health care provider in Wisconsin;
 - b. Is owned or controlled, either in whole or in part, by a CMO, PACE/Partnership organization, MCO, PIHP, PAHP, PCCM, or any other health care provider in Wisconsin; or,
 - c. Owns or controls, either in whole or in part, a CMO, PACE/Partnership organization, MCO, PIHP, PAHP, PCCM or any other health care provider in Wisconsin.
2. Neither the Agency nor any of its subcontractors has as its owner, employee, or consultant, and neither the Agency nor any its subcontractors has entered into a contract with, any person who:
 - a. Has any direct or indirect financial interest in a CMO, PACE/Partnership organization, or any other entity or health care provider that furnishes services in Wisconsin;
 - b. Has been excluded from participation under title XVIII or XIX of the Social Security Act;
 - c. Has been debarred by any federal agency; or,
 - d. Is, or has been, subject to civil money penalties under the Social Security Act.

By: _____
 Agency's Authorized Representative

Date: _____